

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

CASE NO. CR15-0202-JCC

10 Plaintiff,

ORDER

11 v.

12 EFRAN VILLALOBOS GONZALEZ,

13 Defendant.  
14

15 This matter comes before the Court on Defendant Efran Villalobos Gonzalez's motion to  
16 reduce his sentence (Dkt. No. 343). Having thoroughly considered the parties' briefing and the  
17 relevant record, the Court hereby DENIES the motion for the reasons explained herein.

18 Defendant moves the Court to reduce his sentence pursuant to 18 U.S.C. section 3582,  
19 based on Amendment 794 to the Sentencing Guidelines. (Dkt. No. 343 at 2.) The amendment  
20 became effective on November 1, 2015. U.S.S.G. App. C. Amend. 794. The Court sentenced  
21 Defendant on May 24, 2016, pursuant to the Guidelines, inclusive of Amendment 794. (Dkt. No.  
22 242.) No subsequent amendments have changed the applicable Guideline range. Therefore, the  
23 Court has no jurisdiction to further reduce Defendant's sentence. *See* 18 U.S.C. § 3582(c)(2)  
24 (allowing reduction where defendant was sentenced based on a sentencing range that has  
25 *subsequently* been lowered) (emphasis added); *Dillon v. United States*, 560 U.S. 817, 826 (2010)  
26 (section 3582(c)(2) applies only to "those whose sentence was based on a sentencing range

1 subsequently lowered by the Commission”).

2 Defendant’s motion to reduce his sentence (Dkt. No. 343) is DENIED.

3 DATED this 9th day of July 2018.

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7 John C. Coughenour  
8 UNITED STATES DISTRICT JUDGE  
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